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SUBJECT: ENVIRONMENT COULD BE STICKING POINT IN CROATIA'S
EU NEGOTIATIONS

SUMMARY AND COMMENT

1. (SBU) Environmental protection issues seem certain to be a major sticking point in Croatia's EU membership negotiations. With the European Commission playing an ever-smaller role in environmental policy priority setting, the chaotic distribution of environmental responsibility among Croatian ministries and agencies and disinterest on the part of local governments could slow the negotiating process.

2. (SBU) Implementation remains the largest concern. While Croatia might reasonably expect to receive long transition periods for environmental approximation based on the experience of the 10 newest members, the GoC will still have to demonstrate that the appropriate legislation exists and that it has a concrete plan for implementation. Based on the starting point, the environmental chapter of the acquis could be among the hardest to close. END SUMMARY AND COMMENT.

3. (SBU) Responsibility for environmental policy is diffuse by EU standards; according to contacts in the EC delegation to Croatia, the Ministry of Environment has competency for just about 50% of EU environmental directives. The Ministries of Health, Transportation, Agriculture, and Economy also have authority over pieces of environmental policy. This chaotic division of labor makes it extremely difficult to judge to what degree Croatian law tracks with the environmental acquis. Moreover, the GoC has not completed any systematic review of existing Croatian environmental legislation.

4. (SBU) As EC CARDS assistance to Croatia wraps up this year, environmental assistance will reappear as pre-accession aid once the Commission releases Croatia's pre-accession strategy in October. CARDS funding for current projects -- legislative approximation, drinking water quality monitoring, and waste management -- will expire this year. Though environmental priorities (air quality, water quality, and industrial pollution control) are unlikely to change after CARDS, Croatia will have more responsibility in terms of priority setting and will have a co-financing requirement on all projects. According to our contact, the EC does not push its environmental priorities but finds the GoC receptive to their suggestions.

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